AIR QUALITY PERMIT

Issued To:	Schellinger Construction Company, Inc. P.O. Box 517 Columbia Falls, MT 59912	Permit #2622-03 Preliminary Determination Issued: 03/20/03 Department's Decision Issued: 04/08/03 Permit Final: 04/24/03 AFS Number: 777-2622

An air quality permit, with conditions, is hereby granted to Schellinger Construction Company, Inc. (Schellinger) pursuant to Sections 75-2-204 and 211 of the Montana Code Annotated (MCA), as amended, and The Administrative Rules of Montana (ARM) 17.8.740, *et seq*., as amended, for the following:

Section I: Permitted Facilities

A. Plant Location

The original location for this operation is the N½ of Section 21, Township 30 North, Range 21 West, in Flathead County, Montana. However, Permit #2622-03 also applies while operating at any location in Montana, except within those areas that have a Department of Environmental Quality (Department) approved permitting program or within 10 kilometers (km) of certain particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) nonattainment areas. *A Missoula County air quality permit will be required for locations within Missoula County, Montana.*

B. Current Permit Action

On February 12, 2003, Schellinger submitted a complete Montana Air Quality Permit application for the addition of a 1973 Pioneer 30" x 42" primary plant jaw crusher plant (maximum capacity 400 tons per hour (TPH)), including a grizzly feeder screen, and associated equipment. The 1973 Pioneer jaw crusher replaces a similar 1976 Pioneer jaw crusher plant that has been removed. A 1980 Caterpillar 520-kilowatt (kW) diesel generator has also been added. Schellinger's Addendum 2 to Permit #2622-02 expired, so Permit #2622-03 contains a new Addendum 3.

The Addendum contains restrictions to protect the air quality in and within 10 km of the Kalispell, Columbia Falls, and Whitefish PM_{10} nonattainment area. SCREEN VIEW air dispersion modeling was conducted for Permit #2622-03 to determine a production limit that would protect the nonattainment areas. Worst case modeling results were used to determine a production limit that would protect existing air quality. Permit #2622-03 and Addendum 3 have been updated to reflect current permit language and rule references used by the Department.

Section II: Conditions and Limitations

A. Emission Limitations

1. All visible emissions from the crusher plant may not exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).

2. Schellinger shall not cause or authorize to be discharged into the atmosphere from other equipment, such as screens or transfer points, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes (ARM 17.8.304).

3. Schellinger shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter (ARM 17.8.308).

4. Schellinger shall treat all unpaved portions of the haul roads, access roads, parking lots, or the general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the reasonable precautions limitation in Section II.A.3. (ARM 17.8.752).

5. Water spray bars shall be available and used, as necessary, to maintain compliance with the opacity limitations in Sections II.A.1., II.A.2., and II.A.3. (ARM 17.8.752).

6. The generator used with this facility shall not have a designated capacity greater than 520-kW (ARM 17.8.749).

7. Crushing production is limited to 3,504,000 tons during any rolling 12-month time period (ARM 17.8.749).

8. Screening production is limited to 3,504,000 tons during any rolling 12-month time period (ARM 17.8.749).

9. If the permitted equipment is used in conjunction with any other equipment owned or operated by Schellinger, at the same site, production shall be limited to correspond with an emission level that does not exceed 250 tons during any rolling 12-month period. Any calculations used to establish production levels shall be approved by the Department (ARM 17.8.749).

B. Testing Requirements

1. All compliance source tests shall be conducted in accordance with the Montana Source Test Protocol and Procedures Manual. (ARM 17.8.106).

2. The Department may require testing (ARM 17.8.105).

C. Operational Reporting Requirements

1. If this crushing/screening plant is moved to another location, an Intent to Transfer form must be sent to the Department. In addition, a Public Notice Form for Change of Location must be published in a newspaper of general circulation in the area to which the transfer is to be made, at least 15 days prior to the move. The Intent to Transfer form and the proof of publication (affidavit) of the Public Notice Form for Change of Location must be submitted to the Department prior to the move. These forms are available from the Department (ARM 17.8.765).

2. Schellinger shall supply the Department with annual production information for all emission points, as required by the Department in the annual emission inventory request. The request will include, but not be limited to, all sources of emissions identified in the emission inventory contained in the permit analysis.

   Production information shall be gathered on a calendar-year basis and submitted to the Department by the date required in the emission inventory request. Information shall be in the units required by the Department. This information may be used for calculating operating fees, based on actual emissions from the facility, and/or to verify compliance with permit limitations (ARM 17.8.505).

3. Schellinger shall maintain on-site records showing daily hours of operation and daily production rates for the last 12 months. All records compiled in accordance with this permit shall be maintained by Schellinger as a permanent business record for at least 5 years following the date of the measurement, shall be submitted to the Department upon request, and shall be available at the plant site for inspection by the Department (ARM 17.8.749).

4. Schellinger shall document, by month, the crushing production from the facility. By the 25th day of each month, Schellinger shall total the crushing production of the facility during the previous 12 months to verify compliance with the limitation in Section II.A.7. A written report of the compliance verification shall be submitted along with the annual emissions inventory (ARM 17.8.749).

5. Schellinger shall document, by month, the screening production from the facility. By the 25th day of each month, Schellinger shall total the screening production of the facility during the previous 12 months to verify compliance with the limitation in Section II.A.8. A written report of the compliance verification shall be submitted along with the annual emissions inventory (ARM 17.8.749).

6. Schellinger shall notify the Department of any construction or improvement project conducted pursuant to ARM 17.8.745 (1) that would include a change in control equipment, stack height, stack diameter, stack flow, stack gas temperature, source location, or fuel specifications, or would result in an increase in source capacity above its permitted operation or the addition of a new emissions unit. The notice must be submitted to the Department, in writing, 10 days prior to start-up or use of the proposed de minimis change, or as soon as reasonably practicable in the event of an unanticipated circumstance causing the de minimis change, and must include the information requested in ARM 17.8.745(1)(d) (ARM 17.8.745).

Section III: Addendum

Schellinger shall comply with all conditions in Addendum 3 to this permit, as appropriate.

Section IV: General Conditions

A. Inspection – Schellinger shall allow the Department's representatives access to the source at all reasonable times for the purpose of making inspections or surveys, collecting samples, obtaining data, auditing any monitoring equipment (CEMS, CERMS) or observing any monitoring or testing, and otherwise conducting all necessary functions related to this permit.

B. Waiver – The permit and all the terms, conditions, and matters stated herein shall be deemed accepted if Schellinger fails to appeal as indicated below.

C. Compliance with Statutes and Regulations – Nothing in this permit shall be construed as relieving Schellinger of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided for in ARM 17.8.740, *et seq*. (ARM 17.8.756).

D. Enforcement – Violations of limitations, conditions and requirements contained herein may constitute grounds for permit revocation, penalties or other enforcement as specified in Section 75-2-401, *et seq*., MCA.

E. Appeals – Any person or persons jointly or severally adversely affected by the Department's decision may request, within 15 days after the Department renders its decision, upon affidavit setting forth the grounds therefore, a hearing before the Board of Environmental Review (Board). A hearing shall be held under the provisions of the Montana Administrative Procedures Act. The filing of a request for a hearing postpones the effective date of the Department's decision until conclusion of the hearing and issuance of a final decision by the Board. The Department's decision on the application is not final until 15 days have elapsed and there is no request for a hearing under this section.

F. Permit Inspection – As required by ARM 17.8.755, Inspection of Permit, a copy of the air quality permit shall be made available for inspection by Department personnel at the location of the permitted source.

G. Permit Fee – Pursuant to Section 75-2-220, MCA, as amended by the 1991 Legislature, failure to pay the annual operation fee by Schellinger may be grounds for revocation of this permit, as required by that section and rules adopted thereunder by the Board.

H. Construction Commencement – Construction must be begin within 3 years of permit issuance and proceed with due diligence until the project is complete or the permit shall be revoked (ARM 17.8.762).

I. The Department may modify the conditions of this permit based on local conditions of any future site. These factors may include, but are not limited to, local terrain, meteorological conditions, proximity to residences, etc.

J. Schellinger shall comply with the conditions contained in this permit while operating in any location in Montana, except within those areas that have a Department approved permitting program.

PERMIT ANALYSIS
Schellinger Construction Company, Inc.
Permit #2622-03

I. Introduction/Process Description

A. Permitted Equipment

The Schellinger Construction Company, Inc. (Schellinger), facility consists of a 1973 Pioneer 30" x 42" primary plant jaw crusher (maximum capacity 400 tons per hour (TPH)), including a grizzly feeder screen (400TPH), a 1980 Caterpillar 520-kilowatt (kW) generator, and associated equipment.

B. Process Description

Schellinger proposes to use this crushing/screening plant to crush and sort sand and gravel. For a typical operational setup, unprocessed materials are loaded onto the feeder grizzly screen and conveyed to a jaw crusher. From the jaw crusher, the materials are conveyed to a stockpile. The crushed and sized materials are stockpiled and used for construction operations.

C. Permit History

On March 20, 1990, Permit **#2622-00** was issued to Schellinger Construction Co., Inc. to operate a 1976 Pioneer 30" X 42" portable jaw crusher, a screen, and associated equipment.

On May 10, 1994, Schellinger filed a Notice of Intent to Transfer Location of Air Quality Permit to transfer their portable jaw crusher, contained in Permit #2622-00, to the N½ of the NW½ of the SE¼ of Section 34, Township 31 North, Range 31 West, in Lincoln County, Montana. The new location was within the Libby particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) nonattainment area. Therefore, the conditions contained in Schellinger's Permit #2622-00 were modified and controls were implemented to keep the source's emissions below 547 lbs/day of PM_{10} emissions. The new conditions and reporting requirements were stated in **Addendum 1** of Permit **#2622-01**. Permit #2622-01 replaced Permit #2622-00.

On August 2, 2000, Schellinger requested a renewal of the Addendum in Permit #2622-01 to allow the facility to continue operation at seven different locations in or within 10 kilometers (km) of the Kalispell, Columbia Falls, and Whitefish PM_{10} nonattainment areas during the winter months (October 1 through March 31).

The Addendum contained restrictions to protect the air quality in and within 10 km of the Kalispell, Columbia Falls, and Whitefish PM_{10} nonattainment areas. SCREEN air dispersion modeling was conducted for Permit #2622-02 to determine a production limit that protected the nonattainment area. One SCREEN model was run to account for the seven winter locations. However, worst case modeling results were used to determine a production limit that protected existing air quality. For additional operational flexibility, the Department of Environmental Quality (Department) added language that allowed operation at any location in or within 10 km of any PM_{10} nonattainment area during the summer months. The permit was also updated to reflect the current format used for writing permits. Permit **#2622-02** replaced Permit #2622-01 and **Addendum 2** replaced Addendum 1.

D. Current Permit Action

On February 12, 2003, Schellinger submitted a complete Montana Air Quality Permit application for the addition of a 1973 Pioneer 30" x 42" primary plant jaw crusher plant (maximum capacity 400 TPH), including a grizzly feeder screen, and associated equipment. The 1973 Pioneer plant replaces a similar 1976 Pioneer jaw crusher plant that has been removed. A 1980 Caterpillar 520-kilowatt (kW) diesel generator has also been added. Schellinger's Addendum 2 to Permit #2622-02 expired, so Permit #2622-03 contains a new Addendum 3.

The Addendum contains restrictions to protect the air quality in and within 10 km of the Kalispell, Columbia Falls, and Whitefish PM_{10} nonattainment areas. SCREEN VIEW air dispersion modeling was conducted for Permit #2622-03 to determine a production limit that would protect the nonattainment area. Worst case modeling results were used to determine a production limit that would protect existing air quality. Permit #2622-03 and Addendum 3 have been updated to reflect current permit language and rule references used by the Department. Permit **#2622-03** replaces Permit #2622-02 and **Addendum 3** replaces Addendum 2.

E. Additional Information

Additional information, such as applicable rules and regulations, Best Available Control Technology (BACT) determinations, air quality impacts, and environmental assessments, is included in the permit analysis associated with each change to the permit.

II. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department. Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

A. ARM 17.8, Subchapter 1 – General Provisions, including, but not limited to:

1. ARM 17.8.101 Definitions. This rule includes a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.

2. ARM 17.8.105 Testing Requirements. Any person or persons responsible for the emission of any air contaminant into the outdoor atmosphere shall, upon written request of the Department, provide the facilities and necessary equipment (including instruments and sensing devices) and shall conduct test, emission or ambient, for such periods of time as may be necessary using methods approved by the Department.

3. ARM 17.8.106 Source Testing Protocol. The requirements of this rule apply to any emission source testing conducted by the Department, any source, or other entity as required by any rule in this chapter, or any permit or order issued pursuant to this chapter, or the provisions of the Clean Air Act of Montana, 75-2-101, *et seq*., Montana Code Annotated (MCA).

Schellinger shall comply with the requirements contained in the Montana Source Test Protocol and Procedures Manual, including, but not limited to, using the proper test methods and supplying the required reports. A copy of the Montana Source Test Protocol and Procedures Manual is available from the Department upon request.

4. ARM 17.8.110 Malfunctions. (2) The Department must be notified promptly by telephone whenever a malfunction occurs that can be expected to create emissions in excess of any applicable emission limitation or to continue for a period greater than 4 hours.

5. ARM 17.8.111 Circumvention. (1) No person shall cause or permit the installation or use of any device or any means that, without resulting in reduction of the total amount of air contaminant emitted, conceals or dilutes an emission of air contaminant that would otherwise violate an air pollution control regulation. (2) No equipment that may produce emissions shall be operated or maintained in such a manner as to create a public nuisance.

B. ARM 17.8, Sub-Chapter 2, Ambient Air Quality, including, but not limited to:

1. ARM 17.8.210 Ambient Air Quality Standards for Sulfur Dioxide
2. ARM 17.8.211 Ambient Air Quality Standards for Nitrogen Dioxide
3. ARM 17.8.212 Ambient Air Quality Standards for Carbon Monoxide
4. ARM 17.8.220 Ambient Air Quality Standard for Settled Particulate
5. ARM 17.8.223 Ambient Air Quality Standard for PM_{10}

Schellinger must maintain compliance with the applicable ambient air quality standards.

C. ARM 17.8, Sub-Chapter 3, Emission Standards, including, but not limited to:

1. ARM 17.8.304 Visible Air Contaminants. This rule requires that no person may cause or authorize emissions to be discharged into the outdoor atmosphere from any source installed after November 23, 1968, that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes.

2. ARM 17.8.308 Particulate Matter, Airborne. (1) This rule requires an opacity limitation of 20% for all fugitive emission sources and that reasonable precautions be taken to control emissions of airborne particulate matter. (2) Under this rule, Schellinger shall not cause or authorize the use of any street, road, or parking lot without taking reasonable precautions to control emissions of airborne particulate matter.

3. ARM 17.8.310 Particulate Matter, Industrial Process. This rule requires that no person shall cause or authorize to be discharged into the atmosphere particulate matter in excess of the amount set forth in this rule.

4. ARM 17.8.340 Standard of Performance for New Stationary Sources. This rule incorporates, by reference, 40 CFR 60, Standards of Performance for New Stationary Sources (NSPS). The owner or operator of any stationary source or modification, as defined and applied in 40 CFR 60, NSPS, shall comply with the standards and provisions of 40 CFR 60. In order for a crushing/screening plant to be subject to 40 CFR 60, Subpart OOO requirements, two specific criteria must be met. First the crushing/screening plant must meet the definition of an affected facility and second, the equipment in question must have been

constructed or modified after August 31, 1983. Based on the information submitted by Schellinger, the crushing/screening equipment to be used with Permit #2622-03 is not subject to NSPS requirements (40 CFR 60, Subpart A General Provisions, and Subpart OOO, Non-Metallic Mineral Processing Plants).

D. ARM 17.8, Sub-Chapter 5, Air Quality Permit Application, Operation and Open Burning Fees, including, but not limited to:

1. ARM 17.8.504 Air Quality Permit Application Fees. This rule requires that an applicant submit an air quality permit application fee concurrent with the submittal of an air quality permit application. A permit application is incomplete until the proper application fee is paid to the Department. Schellinger submitted the appropriate permit application fee for the current permit action.

2. ARM 17.8.505 Air Quality Operation Fees. An annual air quality operation fee must, as a condition of continued operation, be submitted to the Department by each source of air contaminants holding an air quality permit, excluding an open burning permit, issued by the Department; the air quality operation fee is based on the actual or estimated actual amount of air pollutants emitted during the previous calendar year.

   An air quality operation fee is separate and distinct from an air quality permit application fee. The annual assessment and collection of the air quality operation fee, described above, shall take place on a calendar-year basis. The Department may insert into any final permit issued after the effective date of these rules, such conditions as may be necessary to require the payment of an air quality operation fee on a calendar-year basis, including provisions that pro-rate the required fee amount.

E. ARM 17.8, Sub-Chapter 7, Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

1. ARM 17.8.740 Definitions. This rule is a list of applicable definitions used in this chapter, unless indicated otherwise in a specific subchapter.

2. ARM 17.8.743 Montana Air Quality Permits--When Required. This rule requires a facility to obtain an air quality permit or permit alteration if they construct, alter or use any asphalt plant, crusher or screen that has the potential to emit greater than 15 tons per year of any pollutant. Schellinger has the potential to emit more than 15 tons per year of particulate matter (PM), particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}), carbon monoxide (CO), and nitrogen oxides (NO_x); therefore, an air quality permit is required.

3. ARM 17.8.744 Montana Air Quality Permits--General Exclusions. This rule identifies the activities that are not subject to the Montana Air Quality Permit program.

4. ARM 17.8.745 Montana Air Quality Permits—Exclusion for De Minimis Changes. This rule identifies the de minimis changes at permitted facilities that are not subject to the Montana Air Quality Permit Program.

5. ARM 17.8.748 New or Modified Emitting Units--Permit Application

Requirements. This rule requires that a permit application be submitted prior to installation, alteration, or use of a source. Schellinger submitted the required permit application for the current permit action. (7) This rule requires that the applicant notify the public by means of legal publication in a newspaper of general circulation in the area affected by the application for a permit. Schellinger submitted an affidavit of publication of public notice for the February 9, 2003, issue of the *Daily Interlake*, a newspaper of general circulation in Flathead County, as proof of compliance with the public notice requirements.

6. ARM 17.8.749 Conditions for Issuance or Denial of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.

7. ARM 17.8.752 Emission Control Requirements. This rule requires a source to install the maximum air pollution control capability that is technically practicable and economically feasible, except that BACT shall be utilized. The required BACT analysis is included in Section IV of this permit analysis.

8. ARM 17.8.755 Inspection of Permit. This rule requires that air quality permits shall be made available for inspection by the Department at the location of the source.

9. ARM 17.8.756 Compliance with Other Requirements. This rule states that nothing in the permit shall be construed as relieving Schellinger of the responsibility for complying with any applicable federal or Montana statute, rule, or standard, except as specifically provided in ARM 17.8.740, *et seq*.

10. ARM 17.8.762 Duration of Permit. An air quality permit shall be valid until revoked or modified, as provided in this subchapter, except that a permit issued prior to construction of a new or altered source may contain a condition providing that the permit will expire unless construction is commenced within the time specified in the permit, which in no event may be less than 1 year after the permit is issued.

11. ARM 17.8.763 Revocation of Permit. An air quality permit may be revoked upon written request of the permittee, or for violations of any requirement of the Clean Air Act of Montana, rules adopted under the Clean Air Act of Montana, the FCAA, rules adopted under the FCAA, or any applicable requirement contained in the Montana State Implementation Plan (SIP).

12. ARM 17.8.764 Administrative Amendment to Permit. An air quality permit may be amended for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack that do not result in an increase of emissions as a result of those changed conditions. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.

13. ARM 17.8.765 Transfer of Permit. (1) A Montana air quality permit may be

transferred from one location to another if the Department receives a complete notice of Intent to Transfer location including written notice of Intent to Transfer location on forms provided by the Department; and documentation that the permittee has published notice of intended transfer by means of a legal publication in a newspaper of general circulation in the area to which the transfer is to be made. (2) This rule states that an air quality permit may be transferred from one person to another if written notice of Intent to Transfer, including the names of the transferor and the transferee, is sent to the Department.

F. ARM 17.8, Sub-Chapter 8, Prevention of Significant Deterioration of Air Quality, including, but not limited to:

1. ARM 17.8.801 Definitions. This rule is a list of applicable definitions used in this subchapter.

2. ARM 17.8.818 Review of Major Stationary Sources and Major Modifications--Source Applicability and Exemptions. The requirements contained in ARM 17.8.819 through ARM 17.8.827 shall apply to any major stationary source and any major modification with respect to each pollutant subject to regulation under the Federal Clean Air Act (FCAA) that it would emit, except as this subchapter would otherwise allow.

   This facility is not a major stationary source because it is not a listed source and does not have the Potential to Emit (PTE) more than 250 tons per year of any air pollutant (excluding fugitive emissions).

G. ARM 17.8, Subchapter 12 – Operating Permit Program Applicability, including, but not limited to:

1. ARM 17.8.1201 Definitions. (23) Major Source under Section 7412 of the FCAA is defined as any stationary source having:

   a. PTE > 100 tons/year of any pollutant;

   b. PTE > 10 tons/year of any one Hazardous Air Pollutant (HAP), PTE > 25 tons/year of a combination of all HAPs, or lesser quantity as the Department may establish by rule; or

   c. PTE > 70 tons/year of PM_{10} in a serious PM_{10} nonattainment area.

2. ARM 17.8.1204 Air Quality Operating Permit Program Applicability. (1) Title V of the FCAA Amendments of 1990 requires that all sources, as defined in ARM 17.8.1204 (1), obtain a Title V Operating Permit. In reviewing and issuing Air Quality Permit #2622-03 for Schellinger, the following conclusions were made:

   a. The facility's PTE is less than 100 tons/year for any pollutant.

   b. The facility's PTE is less than 10 tons/year for any one HAP and less than 25 tons/year of all HAPs.

   c. This source is not located in a serious PM_{10} nonattainment area.

   d. This facility is not subject to any current NSPS.
   e. This facility is not subject to any current NESHAP standards.

f. This source is not a Title IV affected source nor a solid waste combustion unit.

g. This source is not an EPA designated Title V source.

Based on these facts, the Department determined that Schellinger will be a minor source of emissions as defined under Title V.

III. Emission Inventory

	Ton/yr					
Source	**PM**	**PM_{10}**	**NO_x**	**VOC**	**CO**	**SO_x**
1973 Pioneer jaw crusher (400 TPH)	4.38	2.10				
1973 Pioneer grizzly feeder screen (400 TPH)	27.59	13.14				
Material transfer	15.24	7.36				
Pile forming	7.36	3.50				
Bulk loading	7.36	3.50				
1980 Cat diesel generator (520-kW)	6.72	6.72	94.68	6.87	20.46	1.53
Haul roads	2.74	1.23				
Total	**71.39**	**37.55**	**94.68**	**6.87**	**20.46**	**1.53**

- A complete emission inventory for Permit #2622-03 is on file with the Department.
- Emission factors used for the generator are from AP-42 Table 3.3-1 for Section II.A.7. of Permit #2622-03.
- These emission factors provide a conservative estimate of emissions for any diesel generator up to 520-kW capacity

IV. BACT Determination

A BACT determination is required for each new or altered source. Schellinger shall install on the new or altered source the maximum air pollution control capability, which is technically practicable and economically feasible, except that BACT shall be utilized.

Schellinger shall not cause to be discharged into the atmosphere from equipment, any visible emissions that exhibit an opacity of 20% or greater averaged over 6 consecutive minutes. Schellinger must also take reasonable precautions to limit the fugitive emissions of airborne particulate matter from haul roads, parking areas, and the general plant property. Schellinger is required to use water spray bars and water and/or chemical dust suppressant, as necessary, to maintain compliance with the opacity and reasonable precaution limitations. The Department determined that using water spray bars and/or chemical dust suppressant to maintain compliance with the opacity requirements and reasonable precaution limitations constitutes BACT for these sources.

Because of the relatively small amount of emissions produced by the diesel generator, add-on control would be cost prohibitive. Thus, the Department determined that no additional control would constitute BACT for the generator. The control options selected have control and control costs similar to other recently permitted similar sources and are capable of achieving the appropriate emissions standards.

V. Existing Air Quality

Permit #2622-03 is issued for the operation of a portable crushing/screening plant to be originally located in the N½ of Section 21, Township 30 North, Range 21 West, in Flathead County, Montana. The proposed site is designated as a nonattainment area. Therefore, Permit #2622-03 will not fully cover operations at this site and an Addendum is required.

VI. Ambient Air Quality Impact Analysis

The Department determined, based on ambient air modeling, that the impact from this permitting action will be minor. The Department believes it will not cause or contribute to a violation of any ambient air quality standard or further degradation of the existing PM_{10} nonattainment area.

VII. Taking or Damaging Implication Analysis

As required by 2-10-101 through105, MCA, the Department conducted a private property taking and damaging assessment and determined there are no taking or damaging implications.

Addendum 3
Schellinger Construction Company, Inc.
Permit #2622-03

An Addendum to air quality Permit #2622-03 is issued to Schellinger Construction Company, Inc. (Schellinger) pursuant to Section 75-2-204 and 75-2-211 of the Montana Code Annotated (MCA), as amended, and the Administrative Rules of Montana (ARM) 17.8.734, as amended, for the following:

I. Permitted Equipment

On February 12, 2003, Schellinger applied for Addendum 3 to Permit #2622-03 for the operation of a portable crushing/screening operation in or within 10 kilometers (km) of certain PM_{10} nonattainment areas including but not limited to: Libby, Thompson Falls, Kalispell, Whitefish, Columbia Falls, and Butte.

II. Seasonal and Site Restrictions

Addendum 3 applies to the Schellinger facility while operating at any location in or within 10 km of certain PM_{10} nonattainment areas. Additionally, seasonal and site restrictions apply to the facility as follows:

A. During the winter season (October 1-March 31) - The only location(s) in or within 10 km of a PM_{10} nonattainment area where Schellinger may operate is:

N½, Section 21, Township 30 North, Range 21 West (Carlson Pit).

NE¼, SW¼, Section 23, Township 30 North, Range 21 West (A-1 Paving Hodgson Road Pit),

NE¼, NE¼, Section 26, Township 29 North, Range 22 West (Tutvedt Pit),

NW¼, NW¼, Section 31, Township 29 North, Range 21 West (NUPAC Pit),

NW¼, NW¼, Section 22, Township 29 North, Range 21 West (A-1 Paving Pit),

S½, SE¼, Section 31, Township 31 North, Range 22 West (Peschel Pit), and

NE¼ and SE¼ of NW¼, Section 9, Township 27 North, Range 21 West (Spoklie Pit).

B. During the summer season (April 1-September 30) – Schellinger may operate at any location in or within 10 km of the Libby, Thompson Falls, Kalispell, Whitefish, Columbia Falls, and Butte PM_{10} nonattainment areas.

C. Schellinger shall comply with the limitations and conditions contained in Addendum 3 to Permit #2622-03 while operating in or within 10 km of any of the previously listed PM_{10} nonattainment areas. Addendum 3 shall be valid until revoked or modified. The Department of Environmental Quality (Department) reserves the authority to modify Addendum 3 at any time based on local conditions of any future site. These conditions may include, but are not limited to, local terrain, meteorological conditions, proximity to residences or other businesses, etc.

III. Limitations and Conditions

The Department conducted SCREEN VIEW air dispersion modeling, an Environmental Protection Agency (EPA) approved modeling program, to determine the maximum allowable plant production rate that would maintain compliance with the National Ambient Air Quality Standards (NAAQS) and the Montana Ambient Air Quality Standards (MAAQS) for PM_{10}. The NAAQS and MAAQS are designed to be protective of human health and public welfare. The Department established production limits in the Addendum based on the modeling analysis.

A. Operational

1. Water spray bars must be operated on the crushers, screens, and all transfer points whenever the crushing/screening plant is operating (ARM 17.8.749).

2. All visible emissions from the crushing/screening plant may not exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).

3. Schellinger shall not cause or authorize to be discharged into the atmosphere from any other equipment, such as transfer points, any visible emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).

4. Schellinger shall not cause or authorize to be discharged into the atmosphere from haul roads, access roads, parking lots, or the general plant property any visible fugitive emissions that exhibit an opacity of 10% or greater averaged over 6 consecutive minutes (ARM 17.8.749).

5. Schellinger shall treat all unpaved portions of the access roads, parking lots, and general plant area with water and/or chemical dust suppressant as necessary to maintain compliance with the 10% opacity limitation (ARM 17.8.749).

6. Total crushing production of all crushers shall not exceed 2120 tons during any rolling 24-hour time period (ARM 17.8.749).

7. Total screening production of all screens shall be limited to 2120 tons during any rolling 24-hour time period (ARM 17.8.749).

B. Operational Reporting Requirements

1. Schellinger shall provide the Department with written notification of job completion within 10 working days of job completion (ARM 17.8.749).

2. Schellinger shall provide the Department with written notice of relocation of the permitted equipment within 15 working days before the physical transfer of the equipment (ARM 17.8.765).

3. Production information for the sites covered by this Addendum must be submitted to the Department with the annual emission inventory request or within 30 days of completion of the project. The information must include (ARM 17.8.749):

a. Tons of material crushed

b. Tons of material screened

c. Tons of bulk material loaded

d. Daily hours of operation

e. Gallons of diesel fuel used for the generator

f. Fugitive dust information consisting of a listing of all plant vehicles including the following for each vehicle type:

i. Number of vehicles
ii. Vehicle type
iii. Vehicle weight, loaded
iv. Vehicle weight, unloaded
v. Number of tires on vehicle
vi. Average trip length
vii. Number of trips per day per vehicle
viii. Average vehicle speed
ix. Area of activity
x. Vehicle fuel usage (gasoline or diesel) annual total

g. Fugitive dust control for haul roads and general plant area:

i. Hours of operation of water trucks
ii. Application schedule for chemical dust suppressant, if applicable

4. Schellinger shall document, by day, the total crushing production. Schellinger shall sum the total crushing production during the previous 24 hours to verify compliance with the limitation in Section III.A.6. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted no later than March 15 and may be submitted along with the annual emission inventory (ARM 17.8.749).

5. Schellinger shall document, by day, the total screening production. Schellinger shall sum the total screening production during the previous 24 hours to verify compliance with the limitation in Section III.A.7. A written report of compliance verification and the emissions inventory shall be submitted to the Department annually. The report for the previous calendar year shall be submitted no later than March 15 and may be submitted along with the annual emission inventory (ARM 17.8.749).

Addendum 3 Analysis
Schellinger Construction Company, Inc.
Permit #2622-03

I. Permitted Equipment:

Schellinger Construction Company, Inc. (Schellinger), owns and operates a portable crushing/screening facility to be operated at various locations within Montana. Equipment used at this facility includes, a 1973 Pioneer 30" X 42" portable jaw crusher, a grizzly screen, a 1980 Caterpillar 520-kilowatt generator, and associated equipment.

II. Source Description

For a typical operational setup, unprocessed materials are loaded onto the feeder grizzly screen and conveyed to a jaw crusher. From the jaw crusher, the materials are conveyed to a stockpile. The crushed and sized materials are stockpiled and used for construction operations.

III. Applicable Rules and Regulations

The following are partial quotations of some applicable rules and regulations that apply to the facility. The complete rules are stated in the Administrative Rules of Montana (ARM) and are available, upon request, from the Department of Environmental Quality (Department). Upon request, the Department will provide references for locations of complete copies of all applicable rules and regulations or copies where appropriate.

ARM 17.8, Subchapter 7 - Permit, Construction and Operation of Air Contaminant Sources, including, but not limited to:

A. ARM 17.8.749 Conditions for Issuance of Permit. This rule requires that the permits issued by the Department must authorize the construction and operation of the facility or emitting unit subject to the conditions in the permit and the requirements of this subchapter. This rule also requires that the permit must contain any conditions necessary to assure compliance with the Federal Clean Air Act (FCAA), the Clean Air Act of Montana, and rules adopted under those acts.

B. ARM 17.8.764 Modification of Permit. An air quality permit may be modified for changes in any applicable rules and standards adopted by the Board of Environmental Review (Board) or changed conditions of operation at a source or stack which do not result in an increase in emissions because of the changed conditions. A source may not increase its emissions beyond those found in its permit unless the source applies for and receives another permit.

C. ARM 17.8.765 Transfer of Permit. An air quality permit may be transferred from one location to another if:

1. Written notice of Intent to Transfer location and proof of public notice are sent to the Department;

2. The source will operate in the new location for a period of less than 1 year; and

3. The source will not have any significant impact on any nonattainment area or any Class I area.

Schellinger shall submit proof of compliance with the transfer and public notice requirements when Schellinger transfers to any of the locations covered by this Addendum and will only be allowed to stay in the new location for a period of less than 1 year. Also, the conditions and limitations in Addendum 3 to Permit #2622-03 will prevent Schellinger from having a significant impact on certain PM_{10} nonattainment areas.

IV. Emission Inventory

	Lb/Day					
Source	**PM**	**PM_{10}**	**NO_x**	**VOC**	**CO**	**SO_x**
1973 Pioneer jaw crusher (400 TPH)	5.28	2.53				
1973 Pioneer grizzly feeder screen (400 TPH)	33.26	15.84				
Material transfer	18.37	8.87				
Pile forming	8.87	4.22				
Bulk loading	8.87	4.22				
1980 Cat diesel generator (520-kW)	36.82	36.82	518.81	37.66	112.13	8.37
Haul roads	3.30	1.49				
Total	**114.77**	**73.99**	**518.81**	**37.66**	**112.13**	**8.37**

- A complete emission inventory for Addendum 3 to Permit #2622-03 is on file with the Department.
- Emission factors used for the generator are from AP-42 Table 3.3-1 for Section II.A.7. of Permit #2622-03.

V. Existing Air Quality

On July 1, 1987, the Environmental Protection Agency (EPA) promulgated new National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}). Due to exceedances of the national standards for PM_{10}, the cities of Kalispell (and the nearby Evergreen area), Columbia Falls, Butte, Whitefish, Libby, Missoula, and Thompson Falls were designated by EPA as nonattainment for PM_{10}. As a result of this designation, EPA required the Department and the City-County Health Departments to submit PM_{10} State Implementation Plans (SIP). The SIPs consisted of emission control plans that controlled fugitive dust emissions from roads, parking lots, construction, and demolition, since technical studies determined these sources to be the major contributors to PM_{10} emissions.

Addendum 3 to Permit #2622-03 is for a portable crushing/screening plant to be located in or within 10 km of certain PM_{10} nonattainment areas during the summer season (April 1 through September 30). Summer season operations may include areas in or within 10 km of certain PM_{10} nonattainment areas, including, but not limited to Libby, Kalispell, Columbia Falls, Whitefish, Thompson Falls, and Butte. Winter season (October 1 through March 31) operations may include only the seven locations listed in Section II.A. of Addendum 3.

In the view of the Department, the amount of controlled emissions generated by the operation will not exceed any set ambient standard. In addition, Addendum 3 to Permit #2622-03 contains limitations and conditions that will be protective of the PM_{10} nonattainment areas.

VI. Environmental Assessment

An environmental assessment, required by the Montana Environmental Policy Act, was completed for this project. A copy is attached.

DEPARTMENT OF ENVIRONMENTAL QUALITY
Permitting and Compliance Division
P.O. Box 200901, Helena, Montana 59620
(406) 444-3490

FINAL ENVIRONMENTAL ASSESSMENT (EA)

Issued To: Schellinger Construction Company, Inc.
P.O. Box 39
Columbia Falls, Montana 59912

Air Quality Permit Number: 2622-03

Preliminary Determination Issued: 03/19/03
Department's Decision: 04/08/03
Permit Final: 04/24/03

1. Legal Description of Winter Sites**:** The crushing/screening plant would initially operate at any of the following locations in or within 10 km of the Kalispell, Whitefish, or Columbia Falls particulate matter with an aerodynamic diameter of 10 microns or less (PM_{10}) nonattainment areas.

   - N½, Section 21, Township 30 North, Range 21 West (Carlson Pit)
   - NE¼, NE¼, Section 26, Township 29 North, Range 22 West (Tutvedt Pit)
   - NW¼, NW¼, Section 31, Township 29 North, Range 21 West (NUPAC Pit)
   - NW¼, NW¼, Section 22, Township 29 North, Range 21 West (A-1 Paving Mohl Pit)
   - NE¼, SW¼, Section 23, Township 30 North, Range 21 West (A-1 Paving Hodgson Road Pit)
   - S½, SE¼, Section 31, Township 31 North, Range 22 West (Peschel Pit)
   - NE¼ and SE¼ of NW¼, Section 9, Township 27 North, Range 21 West (Spoklie Pit)

   Description of Summer Sites**:** Any location in or within 10 km of certain PM_{10} nonattainment areas.

2. Description of Project**:** The Department proposes to issue a permit and renew the Addendum for the operation of a 1973 Pioneer gravel crusher, a screen, a 1980 Caterpillar 520-kilowatt generator, and associated equipment. This plant crushes and sorts sand and gravel for use in various construction industries.

3. Objectives of the Project: The Addendum renewal will allow for operation at selected locations in or near PM_{10} nonattainment areas.

4. Alternatives considered: In addition to the proposed action, the Department considered the "no-action" alternative. The "no-action" alternative would deny issuance of the air quality preconstruction permit to the proposed facility. However, the Department does not consider the "no-action" alternative to be appropriate because Schellinger Construction Company, Inc. (Schellinger) demonstrated compliance with all applicable rules and regulations as required for permit issuance. Therefore, the "no-action" alternative was eliminated from further consideration.

5. A Listing of Mitigation, Stipulations and Other Controls: A list of enforceable conditions, including a BACT analysis, would be included in Permit #2622-03 and in Addendum 3 to the permit.

6. Regulatory Effects on Private Property: The Department considered alternatives to the conditions imposed in this permit as part of the permit development. The Department determined that the permit conditions are reasonably necessary to ensure compliance with applicable requirements and demonstrate compliance with those requirements and do not unduly restrict private property rights.

7. The following table summarizes the potential physical and biological effects of the proposed project on the human environment. The "no action" alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments
A	Terrestrial and Aquatic Life and Habitats			X			Yes
B	Water Quality, Quantity and Distribution			X			Yes
C	Geology and Soil Quality, Stability and Moisture			X			Yes
D	Vegetation Cover, Quantity and Quality			X			Yes
E	Aesthetics			X			Yes
F	Air Quality			X			Yes
G	Unique Endangered, Fragile or Limited Environmental Resource				X		Yes
H	Demands on Environmental Resource of Water, Air and Energy			X			Yes
I	Historical and Archaeological Sites				X		Yes
J	Cumulative and Secondary Impacts			X			Yes

Summary of Comments on Potential Physical & Biological Effects:

A. Terrestrial and Aquatic Life and Habitats

Terrestrials would use the areas in which the crushing/screening operations occur. However, the crushing/screening operations are portable and the impacts would be limited by the short-term nature of the operation. Furthermore, since all of the Schellinger wintertime sites are pre-existing pits, additional impacts to the terrestrial and aquatic life and habitats are not expected as a result of the crushing/screening operations.

B. Water Quality, Quantity, and Distribution

Although there would be an increase in air emissions in the area where the crushing/screening operations commence, there would only be minor impacts on the water quality, quantity, and distribution because of the relatively small size and temporary nature of the operation. While deposition of pollutants would occur, the Department determined that any impacts from deposition of pollutants would be minor. As described in 7.F. of this EA, due to the conditions placed in Permit #2622-03 and Addendum 3 and the size and nature of the facility, the maximum impacts from the air emissions from this facility would be minor.

Water would be required for dust suppression on surrounding roadways and areas of operation, but would only cause a minor disturbance to the area. Also relatively small amounts of water would be needed for adequate dust suppression. Therefore, the crushing/screening plant would have only minor impacts to water quality, quantity, and distribution in the proposed area of operation.

C. Geology and Soil Quality, Stability, and Moisture

There would be minor impacts to the geology and soil quality, stability, and moisture near the crushing/screening area due to facility construction, increased vehicle traffic, the use of water to control dust, and deposition of pollutants from the crushing/screening operation. As explained in Section 7.F. of this EA, the relatively small size and temporary nature of the operation and conditions placed in Permit #2622-03 and Addendum 3would minimize the impacts from deposition. As a result, pollution deposition and water used to control emissions would result in only minor disturbance to the soil.

The soils in the affected area would be impacted by the crushing/screening operations due to the construction and use of the crushing/screening facility. However, given the relatively small size and portable and temporary nature of the operation, any impacts would be minor.

D. Vegetation Cover, Quantity, and Quality

There would be minor impacts on the vegetative cover, quantity, and quality because small amounts of vegetation would likely be disturbed from the crushing/screening operation. Because the crushing/screening operation would be located in existing and previously disturbed open cut pits, any physical effects on vegetation cover, quantity, and quality would be minor.

Pollutant deposition would occur on the surrounding vegetation. However, as explained in Section 7.F. of this EA, the Department determined that, due to the relatively small size of the operation, dispersion characteristics of pollutant emissions, and conditions placed in Permit #2622-03 and Addendum 3, any impacts from the deposition of pollutants would be minor. Also, because the water usage would be minimal (as described in Section 7.B.) and the associated soil disturbance would be minimal (as described in Section 7.C.), corresponding vegetative impacts would be minor.

E. Aesthetics

The crushing/screening operations would be visible and would create additional noise in the area. Permit #2622-03 includes conditions to control emissions (including visible emissions) from the plant. Because the crushing/screening operations are small and temporary, any noise impacts would be minor. Restrictions have been placed on the crushing/screening operations to protect the air quality at any wintertime location in or within 10 kilometers of the Kalispell, Columbia Falls, and Whitefish PM_{10} nonattainment areas and also at any summertime location in or within 10 km of certain PM_{10} nonattainment areas. Overall, any aesthetic impacts would be minor.

F. Air Quality

The air quality impacts from the crushing/screening operations would be minor. Because Permit #2622-03 and Addendum 3 includes conditions limiting the opacity from the plant, as well as requiring water and/or chemical dust suppression to control air pollution. The crushing/screening operations would be limited to total particulate emissions of 250 tons per year or less from non-fugitive sources at the plant, in addition to any additional equipment operated at any individual site.

For the current permitting action (#2622-03), SCREEN VIEW air dispersion modeling was conducted in order to establish a production limit that would protect existing air quality in the nonattainment areas. Worst case modeling results were used to determine a production limit that would protect existing air quality in or within 10 km of certain PM_{10} nonattainment areas.

G. Unique Endangered, Fragile, or Limited Environmental Resources

The Department contacted the Montana Natural Heritage Program (MNHP) to identify any species of special concern associated with the initial proposed site location. Search results indicated that there are no such environmental resources in the area. Area, in this case, is defined by the township and range of the initial proposed site, with an additional one-mile buffer. The initial location has been identified by Schellinger as the N½ of Section 21, Township 30 North, Range 21 West, in Flathead County, Montana. The proposed project would have no impact on any unique endangered, fragile, or limited environmental resources because it is an existing pit with no change to existing impacts.

H. Demands on Environmental Resource of Water, Air, and Energy

The crushing/screening operations would require only small quantities of water, air, and energy for proper operation, due to the small size and temporary nature of the facility. Small amounts of water would be used for dust control from the equipment, the stockpiles, and the associated haul roads. Further, as described in Section 7.F of this EA, pollutant emissions generated from the facility would have minimal impacts on air quality in the immediate and surrounding area because of the small size and intermittent operations of the equipment. Energy demands to operate the facility would also be minor because the operation would consist of relatively small equipment and because the operations would be intermittent. Therefore, any impacts to environmental resources of water, air, and energy, would be minor.

I. Historical and Archaeological Sites

The Department contacted the Montana Historical Society - State Historical Preservation Office (SHPO) in an effort to identify any historical and/or archaeological sites that may be present in the proposed area of construction/operation. According to the response from SHPO, there are no previously recorded historical or archeological sites within the designated search locale. Additionally, the crushing/screening operations would locate within previously disturbed industrial sites typically used for portable crushing/screening operations. According to past correspondence from the Montana State Historic Preservation Office, there is low likelihood of adverse disturbance to any archaeological or historic site, given previous industrial disturbance within an area. Therefore, the operation would not impact any known historic or archaeological sites.

J. Cumulative and Secondary Impacts

The crushing/screening operations would cause minor cumulative and secondary environmental impacts to the physical and biological aspects of the human environment because the facility would generally have only seasonal, intermittent, and temporary use, and because the facility is considered a minor source of air pollutants by industrial standards. The facility would generate emissions of particulate matter (PM) and PM_{10}. Noise would also be generated from the sites, but would cause minimal disturbance because the area of operation is sparsely populated and because other noise sources would be located in the area. There is potential for other operations to locate at these

sites. However, any operations would have to apply for and receive the appropriate permits from the Department prior to operation. These permits would address the environmental impacts associated with the operations at the proposed sites. The Department believes that this facility could be expected to operate in compliance with all applicable rules and regulations as would be outlined in Permit #2622-03 and Addendum 3.

8. Potential economic and social effects: The following table summarizes the potential economic and social effects of the proposed project on the human environment. The "no action" alternative was discussed previously.

		Major	Moderate	Minor	None	Unknown	Comments
A	Social Structures and Mores				X		Yes
B	Cultural Uniqueness and Diversity				X		Yes
C	Local and State Tax Base and Tax Revenue				X		Yes
D	Agricultural or Industrial Production			X			Yes
E	Human Health			X			Yes
F	Access to and Quality of Recreational and Wilderness Activities			X			Yes
G	Quantity and Distribution of Employment				X		Yes
H	Distribution of Population				X		Yes
I	Demands for Government Services			X			Yes
J	Industrial and Commercial Activity			X			Yes
K	Locally Adopted Environmental Plans and Goals				X		Yes
L	Cumulative and Secondary Impacts			X			Yes

Summary of Comments on Potential Economic & Social Effects:

A. Social Structures and Mores

The crushing/screening operation would cause no disruption to the social structures and mores in the area because the source is small and would initially be located in a sparsely populated and remote location typically used for such operations. The nearest community is Whitefish, which is approximately 2 miles north of the proposed site. Therefore, the crushing/screening of sand and gravel would have no impact upon native or traditional lifestyles or communities of the proposed areas of operation**.** The predominant use of the proposed initial site of operation would not change as a result of the current permit action.

B. Cultural Uniqueness and Diversity

The Department determined that the operations would not impact the cultural uniqueness and diversity of this area of operation because the facility is a small source that would be operating in a sparsely populated and remote location typically used for such operations. The area is an existing open cut pit that has been previously used for aggregate crushing/screening operations, and is privately owned. Surrounding land area would continue to be used predominantly for hay production and animal grazing and pasturing. Therefore, because the operation would not change the predominant use of the area, the Department determined there would be no impact to the cultural uniqueness and diversity of the area of operation.

C. Local and State Tax Base and Tax Revenue

The crushing/screening operations would have a minor effect on the local and state tax base and tax revenue because the facility would be small by industrial standards. The facility is a temporary source; however, most of the crushing that Schellinger would conduct would be in the vicinity of the Kalispell area; therefore, impact to the local tax base and tax revenue would not change. Although portable, the crushing/screening operations would be steady and would employ people in the area. The addition of the generator and the renewal of the Addendum would not result in any new employment with Schellinger rather existing employees would be used for operations.

D. Agricultural or Industrial Production

The proposed crushing/screening project would be located in a previously developed gravel pit; therefore, the proposed operations would not displace any agricultural land. Because of the location and topography of the area, along with the seasonal, temporary, and intermittent use of the facility, only minor affects to surrounding agricultural land would result. Schellinger would be responsible to comply with state and federal environmental regulations in regard to operations at the sites. Further, the crushing/screening operations would be small by industrial standards and, thus, would have only a minor impact on local industrial production**.**

E. Human Health

Permit #2622-03 would include conditions to ensure that the crushing/screening operations would be operated in compliance with all applicable air quality rules and standards. These rules and standards are designed to be protective of human health. As described in Section 7.F. of this EA, the air emissions from this facility would be minimized by water and/or chemical dust suppression and opacity limitations established in Permit #2622-03 and Addendum 3. Therefore, any associated impacts to human health would be minor**.**

F. Access to and Quality of Recreational and Wilderness Activities

The proposed crushing/screening operations would not affect any access to recreational and wilderness activities because the site would be a previously developed gravel pit that is privately owned. Minor effects on the quality of recreational activities would be created by noise from the sites; however, any impacts would be minor, intermittent, and temporary due to the portable nature of the crushing/screening operations.

G. Quantity and Distribution of Employment

The activities from the crushing/screening operations would not result in any increased employment or a change in the distribution of employment in the area. Schellinger would utilize current employees for the crushing and screening operation. Overall, the current permit action would not impact the quantity and distribution of employment in the proposed initial operating site.

H. Distribution of Population

The crushing/screening operations would not disrupt the normal population distribution in the area. Schellinger employees may utilize temporary housing or hotels for the duration of projects that keep them from home. However, no impact to the distribution of population would result from the crushing/screening operations.

I. Demands of Government Services

Government services would be required for acquiring the appropriate permits from government agencies and determining compliance with those permits. Also, there would be an increase in vehicle traffic resulting from the operation of the crushing/screening facility. However, such demands on governmental services to regulate traffic would be minor due to the relatively small size and temporary nature of the operation. Overall, demands for government services would be minor.

J. Industrial and Commercial Activity

The crushing/screening operation would represent only a minor impact to the industrial activity in the given area because of the small size, portable, and temporary nature of the facility. No additional industrial or commercial activity would result from the crushing/screening operation.

K. Locally Adopted Environmental Plans and Goals

This permit would be protective of certain PM_{10} nonattainment areas that are covered in the State Implementation Plans (SIP). In addition to Permit #2622-03, Addendum 3 contains more restrictive limits and conditions for operation at the proposed wintertime site locations in or within 10 km of the Kalispell, Columbia Falls, and Whitefish PM_{10} nonattainment areas. These same limits would also protect the air quality at any locations in or within 10 km of any PM_{10} nonattainment areas during the summer months.

L. Cumulative and Secondary Impacts

The crushing/screening operations would cause minor cumulative and secondary impacts to the economic and social aspects of the human environment because the facility would generally have only seasonal, intermittent, and temporary use, and because the facility is considered a minor source of air pollutants by industrial standards. There is potential for other operations to locate at these sites. However, any operations would have to apply for and receive the appropriate permits from the Department prior to operation. These permits would address the environmental impacts associated with the operations at this or any other site. The crushing/screening operations would be limited by Permit #2622-03 to total particulate emissions of 250 tons per year or less from non-fugitive crushing/screening operations and any other additional equipment used at the site. In addition, crushing and screening limitations have been placed in Addendum 3 to Permit #2622-03 to further protect the ambient air quality standards of the Kalispell, Columbia Falls, and Whitefish PM_{10} nonattainment areas during the winter and any location in or within 10 km of any Montana PM_{10} nonattainment area during the summer.

Recommendation: No EIS is required.

If an EIS is not required, explain why the EA is an appropriate level of analysis: All potential effects resulting from construction and operation of the proposed facility would be minor; therefore, an EIS is not required. In addition, the source would be applying Best Available Control Technology and the analysis indicates compliance with all applicable air quality rules and regulations.

Other groups or agencies contacted or which may have overlapping jurisdiction: Department of Environmental Quality - Permitting and Compliance Division (Air and Waste Management Bureau and Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

Individuals or groups contributing to this EA: Department of Environmental Quality (Air and Waste Management Bureau and Industrial and Energy Minerals Bureau); Montana Natural Heritage Program; and the State Historic Preservation Office (Montana Historical Society).

EA prepared by: Chris Ames
Date: February 25, 2003